

POLICEMAN IS ATTACKED BY THIEF HE SHOT

Wounded Man Clutches Him
by Legs to Help Two
Companions.

HAD A STREET BATTLE.

Call for Priest, Saying: "I Sup-
pose It's the Right Even of
a Dying Burglar."

CAUGHT ENTERING HOUSE.

Patrolman Held Gang at Bay with
Revolver After Mortally Shoot-
ing One of Them.

Dying with a bullet in his back a
burglar dragged himself to where the
patrolman was, and with his arms
tried to help his companions pull him
down in Manhattan street just before
dawn to-day.

The policeman, with revolver leveled
and threatening to shoot should the
other men run, had to fight off the
dying man with his foot for fifteen
minutes, holding the others at bay
until several policemen came and over-
powered them.

The burglar was shot and his com-
panions caught after a running fight,
and for a time the policeman's life
was not worth much for the three men,
all said to be desperate characters,
were ready to murder him.

Passing through Broadway, which
forms a triangle with Manhattan and
One Hundred and Twenty-ninth street,
just before dawn, Patrolman Bernard
Feist saw three men hiding in the
shadow of the Old Dutchman building,
No. 114 Manhattan street. Feist
saw one of the men climb over the fence
of the side of the house and unfatig-
ably a gate. The others entered the
house and quickly forced a window. Then
they climbed into the house, leaving one
on watch outside.

Saw the Policeman.

Seeing that he was watched the man
outside gave the signal and his com-
panions climbed through the window
and walked to the street. As Feist ap-
proached they turned upon him and
laughed.

"You'll get yours now, if you want
it," said one of the men, who was
armed with a revolver.

"Stop, or I'll shoot!" returned Feist.
"Shooting can be done on both sides,"
answered one of the men, and he made
a move as though to draw a weapon.

Feist quickly drew his revolver and
pointed at the three men. They started to
run, but he stopped them by pointing at
them with his revolver.

Down Manhattan street the three sped
when Feist closed in on them. One
stopped as though he would fire a
weapon, and as he ran Feist shot at him.
The man threw his hands in the air and
fell with a bullet through his back. His
two companions stopped also.

Feist leveled his weapon and cried out:
"I'll do that again if either of you
moves."

The wounded man was cursing as he
crawled about the pavement. He could
not rise to his feet, but he dragged him-
self to where the policeman was and
attempted to seize him by the legs and
pull him down. Feist had to fight him
back with his foot, and the others also
made for the policeman, but drew back
at the muzzle of the gun.

Feist rapped for assistance, but no
policemen came. Several men employed
in a dairy nearby came but fled, and one
of them telephoned to Police Headquarters.

When the police came the wounded
burglar was almost unconscious. The
other two showed fight, but were soon
knocked out with nightsticks.

An Ex-Convict.

The wounded man was recognized as
Patrick Smith, twenty-four years old, of
No. 330 St. Nicholas avenue, an ex-con-
vict and a burglar. At the hospital he
regained consciousness, and when told
that he had only a few hours to live he
called for a priest.

"I suppose it's the right even of a dy-
ing burglar," he said.

Father Cherry, of the Church of the
Immaculation, was called and extreme
unction was given. Smith made no se-
cret of the fact that he was a burglar.

The other prisoners were taken to the
West One Hundred and Twenty-ninth
street police station. There they said
they were John Farrell, aged twenty,
of No. 617 West One Hundred and Twen-
ty-ninth street, and William Jones, aged
nineteen, of Philadelphia.

According to the police the three men
are members of a gang which makes
its headquarters at One Hundred and
Twenty-ninth street and Twelfth ave-
nue.

Jones and Farrell were arraigned be-
fore Magistrate Baker in the Harlem
Court. The only defense the men had
was that they were intoxicated. Magis-
trate Baker held them in \$2,000 bail each
for trial.

Yes?

Then don't invest it
indiscriminately
but select one of the

Rare
Business
Bargains

Described yesterday
in the

Sunday World's
Want Directory.

HAMBURG IS AHEAD BY OCEAN RACE

Atlantic Is Running Close
Second in Contest for
Kaiser's Cup.

That the American yacht Atlantic
and the German yacht Hamburg are
having it nip and tuck in the ocean
yacht race is indicated by the latest
news of their positions which reached
here to-day by wireless from the steam-
ers Cedre, Minnesota, and Noordam.

Their positions are as follows:

"St. Cedre, via Noordam
and Marconi station, Sluiscen-
set, Mass., May 22—May 20,
Atlantic, latitude 40, longitude 60, heading east;
fresh west-southwest winds,
weather fine and clear, sea
moderate to rough; average
speed, 7.54 knots."

"St. Minnesota, via Mar-
coni station, Sagaponack, N. Y.,
May 22—May 20, passed yacht At-
lantic Saturday, latitude
40.40 North, longitude 59
West, heading southwest
wind, increasing."

"St. Noordam, via Marconi
station, Sluiscen, Mass.,
May 22—May 20, passed
yacht, heading Atlantic,
90° N. latitude 40.55
North, 59 West, heading east,
burned red, white, red Con-
ston light; having fair west-
southwest wind."

From reports up to date it is clear
that the Hamburg and Atlantic are far
ahead of all other competitors. Natu-
rally there is great interest in the exact
location of the Hamburg, now that the
Atlantic has been placed as late as
Saturday night. Some of the other
yachts must have gone far out of the
yacht lanes, for the last heard of
the Eudymion and Apache was when
they were off Nantucket Light.

The first news from the Hamburg
is awaited with the greatest inter-
est. As nearly as can be figured out
the Hamburg is about 100 miles out
when she was last heard of, which was
heard of at noon last Friday. She has
been averaging 20 miles a day, the
same as the Atlantic. At 10 o'clock
Saturday night, at this rate of speed
the Hamburg must have been close to
100 miles out. The Atlantic, which
sailed Saturday night, was about 80
miles out, so that the Hamburg still
had a good lead, unless her normal
speed under the conditions was im-
paired by some mishap.

The Atlantic was sailing along in
splendid shape when last seen and the
Hamburg's lead may be cut down con-
siderably by the time another report is
received.

Another report has the Atlantic 750
miles out on Saturday night. This is
the statement of Capt. Layland, of the Min-
nesota. He says the Atlantic was in
line shape. Following the Hamburg
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DEATH ENDS HER SUE FOR HEART BALM

Pretty Manicure's Action
Against Late Mr. Barber
Off the Calendar.

Death has ended the \$100,000 breach
of promise suit of Anna Theresa An-
derson, a pretty manicure, against Le-
dwell Langdon Barber, son of Amos L.
Barber, the millionaire head of the
Barber Asphalt Company. When the
case was called to-day before Justice
Gibson, the plaintiff, Mrs. Anderson, Wil-
liam W. Niles, counsel for the defend-
ant, announced that Mr. Barber died on
Friday last at West End, N. J. The
Justice thereupon had the case marked
off the calendar, as claims for breach
of promise cannot be pressed against
the estates of deceased defendants.

Met in Office Building.

Barber met Miss Anderson at No. 11
Broadway in January, 1900. He had an
office in the building and the young
woman counted a manicure parlor
there. In her complaint she alleged
that Barber asked her to marry him
six weeks after their first meeting. On
Nov. 7, 1901, when he was about to
leave this country for an extended trip
abroad, she alleges he went to Tiffany's
and bought her a diamond ring, which
she gave up her manicure business and
prepared for entering the new sphere
which would be opened to her when she
became Mrs. Barber.

Within a few days of the time set for
Barber's return she heard that on Oct.
15, 1902, he had married Miss Leopoldine
Katherine Franzl in Austria. Miss
Franz was a beautiful and talented
woman whom he met during his travels.
Miss Anderson then sued for \$100,000
damages.

Too Sick for Trial.

When Barber got back from Europe
with his young wife he was in bad
health and was unable to appear in
court. He was taken to the hospital
from time to time, the young man
claiming that he was not in fit condi-
tion to stand trial, which he refused to
do. Last Monday he was removed
from his father's home at Belmont,
N. J., to the hospital at West End, N. J.

The body has been taken back to Wash-
ington for burial.

Mr. Barber was a member of the
New York Yacht Club, the Ardsley and the
Automobile clubs.

Miss Anderson's intention was to
bring the trial to a close by the time
Barber had returned from his trip. She
received from him during his wander-
ing in search of health through Eu-
rope. They will be destroyed now
that death has ended the case.

100,000 IN
STRIKE WAR
IN CHICAGO

Teamsters, Defied, Tie Up
Lumber Yards to Halt
Building Trades.

(Special to The Evening World.)

CHICAGO, May 22.—Incensed at the
action of the express companies in re-
fusing to deal with them, the teamsters
to-day resumed the strike fight with
vigil.

Lumber drivers were called out as the
first move and the threat made that
every yard in the city would be tied
up, thus cutting off supplies to the
building trades and the various wood-
working factories.

One hundred thousand men, it was
claimed, would be involved in the sit-
ing within twenty-four hours, while the
building activities of the city would be
paralyzed.

Rioting was again begun early in the
day, and the police, who had had al-
most a week's respite from the turbu-
lent class, found themselves face to
face with fighting mobs in various sec-
tions of the city.

In addition the Federation of Labor
has determined to strike back through
court action for the arrest and prose-
cution of parents and children in con-
nection with the school strikes. The
Federation also threatens to have labor
men take their children from the
schools.

30 PERSONS HURT
"L" ROAD RECK

(Continued from First Page.)

It ran into them. The cars telescoped
each other, and for about a quarter of
the structure in the form of the letter
V laid on its side.

Immediately following the collision
the car with the third rail caused a
series of small explosions and the
woodwork of the structure caught fire.
Trammen hastened to the blaze and ex-
tinguished it with sand.

Windows were broken in all the cars
and a determined rush was made for
the doors. The guards warned the
passengers of the danger of the third
rail, but they could not stop the rush.
Men and women scrambled over the top
and along the footpath toward the One
Hundred and Thirty-third street station
from both trains.

Policemen in the street who heard the
crash of the collision sent in fire alarms
and ambulance calls. Ambulances ar-
rived in a short time from Fordham,
Lincoln and Lehigh hospitals.

Dr. Hoffman, of No. 125 Broadway ave-
nue, was the first to arrive. He was met
by the car which was being towed away
by a team of horses. Dr. Hoffman was
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TAMMGA'S WORKOUT FOR THE BELMONT

(Continued from First Page.)

slow pace. Trainer Gwyn Tompkins sent
his pair, Gamecock and Sunshiner, to
train to two turns at the Belmont.
Both are very clean jumpers and took their
fences without a hobble.

The morning's racing, of which there
were many, were as follows:

GRAZILLO—116 pounds up, one and
one-half miles, 1.10, 1.20, 1.30, 1.40, 1.50,
2.00, 2.10, 2.20, 2.30, 2.40, 2.50, 3.00,
3.10, 3.20, 3.30, 3.40, 3.50, 4.00, 4.10,
4.20, 4.30, 4.40, 4.50, 5.00, 5.10, 5.20,
5.30, 5.40, 5.50, 6.00, 6.10, 6.20, 6.30,
6.40, 6.50, 7.00, 7.10, 7.20, 7.30, 7.40,
7.50, 8.00, 8.10, 8.20, 8.30, 8.40, 8.50,
9.00, 9.10, 9.20, 9.30, 9.40, 9.50, 10.00,
10.10, 10.20, 10.30, 10.40, 10.50, 11.00,
11.10, 11.20, 11.30, 11.40, 11.50, 12.00,
12.10, 12.20, 12.30, 12.40, 12.50, 1.00,
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8.10, 8.20, 8.30, 8.40, 8.50, 9.00, 9.10,
9.20, 9.30, 9.40, 9.50, 10.00, 10.10,
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